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EXAMINER

ERB, NATHAN

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**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

<b>Office Action Summary</b>	<b>Application No.</b> 10/660,343	<b>Applicant(s)</b> SCHOONMAKER ET AL.	
	<b>Examiner</b> NATHAN ERB	<b>Art Unit</b> 3628	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 14 November 2008.
- 2a) ☒ This action is **FINAL**.                      2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-9, 11, 12, 14-16, 18-27 and 29 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-9, 11, 12, 14-16, 18-27 and 29 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All    b) ☐ Some \*    c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)            | 4) <input type="checkbox"/> Interview Summary (PTO-413)           |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)   | Paper No(s)/Mail Date. _____                                      |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date <u>20080609</u> .  | 6) <input type="checkbox"/> Other: _____                          |

## **DETAILED ACTION**

### ***Response to Arguments***

1. The text of those sections of Title 35, U.S. Code not included in this action can be found in a prior Office action.
2. Applicant's response to Office action was received on November 14, 2008.
3. In response to Applicant's amendment of the claims, the corresponding prior art rejections have been correspondingly amended below in this Office action.
4. Regarding the prior art rejections, Applicant argues that the combination of LeStrange et al. and Howington fails to disclose multi-game, multi-denomination (MGMD) machines. Examiner disagrees. As addressed in the prior art rejections below in this Office action, LeStrange et al. discloses a single machine having multiple different configurations. In the case of LeStrange et al., these configurations differ in the type of game presented by each. Howington discloses that configurations can vary on the basis of denomination. First of all, note in Figure 4 that the denomination of machine no. ARI00005 is listed as "#5 MD." This could be interpreted as a multi-denomination machine, with nickel as the lowest denomination. Even if that is not the case, it is not necessary for the purposes of the rejections that the different denominations of Howington be disclosed as occurring on the same machine. This is because Howington is used for the disclosure that configuration can vary on the basis of denomination, but not for the disclosure of a single machine having multiple configurations. Instead, as noted above, LeStrange et al. is used for the disclosure of a single machine having multiple configurations. When the multi-game, multi-

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configuration machine of LeStrange et al. is modified such that configuration may also vary by denomination, as in Howington, the machine of LeStrange et al. becomes a multi-game, multi-denomination machine. Examiner believes this to be a valid combination to arrive at the MGMT machine. Examiner believes that the rejection is valid because it arrives at the same invention claimed by Applicant, regardless of whether each sub-paragraph of Applicant's claim is found entirely in a single reference of the combination. Otherwise, a skillful attorney could make an otherwise unpatentable invention patentable merely through careful claim drafting.

5. Examiner believes that the amendments to the prior art rejections below in this Office action render Applicant's remaining arguments to be no longer applicable.

6. **Official Notice Note:** If applicant does not seasonably traverse the well known statement during examination, then the object of the well known statement is taken to be admitted prior art. *In re Chevenard*, 139 F.2d 71, 60 USPQ 239 (CCPA 1943).

MPEP 2144.03 Reliance on Common Knowledge in the Art or "Well Known" Prior Art.

In view of applicant's failure to adequately traverse official notice, the following is admitted prior art: "wherein reporting comprises printing," "it was well-known to one of ordinary skill in the art at the time of applicants' invention that paper is a convenient medium for reporting information," "it was well-known to one of ordinary skill in the art at the time of applicants' invention that hand pays are a common method for casinos to pay out winnings to customers," and "it was well-known to one of ordinary skill in the art at the time of applicants' invention that a day is a common time interval to choose for breaking up data over time periods."

***Claim Rejections - 35 USC § 103***

7. Claims 1-4, 6-7, 9, 11-12, 14-16, and 18-25 are rejected under 35 U.S.C. 103(a) as being unpatentable over LeStrange et al., U.S. Patent No. 5,470,079, in view of Howington, U.S. Patent Application Publication No. US 2002/0152120 A1, in further view of Freels et al., U.S. Patent No. 5,759,103, in further view of Rowe et al., U.S. Patent Application Publication No. US 2002/0187834 A1.

As per **Claim 1**, LeStrange et al. discloses:

- an accounting system (column 3, lines 7-19);
- a receiver for collecting first meter information from a first unique configuration in a single game unit, and for collecting second meter information from a second unique configuration in the single game unit (Figure 1; column 4, line 56, through column 5, line 45; column 11, line 59, through column 12, line 40; receiver is central or host computer system 20; a single game machine may be capable of playing multiple different games; different games represent different machine configurations; meter information for different games is recorded separately);
- wherein a unique configuration includes a unique game (column 11, line 59, through column 12, line 40; a single game machine may be capable of playing multiple different games; different games represent different machine configurations);
- a database for storing the collected information (column 4, line 56, through column 5, line 45);

- a calculator structured to generate statistical information from the collected information for the unique configurations in the single game unit, including on a per-configuration basis (column 4, line 56, through column 5, line 45; column 11, line 59, through column 12, line 40);

- wherein calculated statistics for a configuration include slot handle (column 4, line 56, through column 5, line 5; column 6, lines 36-43).

LeStrange et al. fails to disclose wherein a unique configuration includes a unique denomination. Howington discloses wherein a unique configuration includes a unique denomination (paragraph [0004]; paragraphs [0029]-[0030]; paragraph [0036]; claim 16; combining the configuration-defining attributes of game and denomination into a single invention makes the configuration a combination). It would have been obvious to one of ordinary skill in the art at the time of applicants' invention to modify the invention of LeStrange et al. such that a unique configuration includes a unique denomination, as disclosed by Howington. Motivation is provided by Howington in that tracking denomination of a machine allows other tracked parameters to be compared on the basis of the denomination of machines (paragraph [0036]).

LeStrange et al. fails to disclose wherein calculated statistics for a configuration include actual game hold percentage. Howington further discloses wherein calculated statistics for a configuration include actual game hold percentage (Figure 4; paragraph [0029]). It would have been obvious to one of ordinary skill in the art to modify the invention of LeStrange et al. such that calculated statistics for a configuration include actual game hold percentage, as disclosed by Howington, since the claimed invention is

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merely a combination of old elements, and in the combination each element merely would have performed the same function as it did separately, and one of ordinary skill in the art would have recognized that the results of the combination were predictable.

LeStrange et al. fails to disclose wherein calculated statistics for a configuration include slot win. Freels et al. discloses wherein calculated statistics for a configuration include slot win (column 4, line 62, through column 5, line 40; claims 6-7). It would have been obvious to one of ordinary skill in the art to modify the invention of LeStrange et al. such that calculated statistics for a configuration include slot win, as disclosed by Freels et al., since the claimed invention is merely a combination of old elements, and in the combination each element merely would have performed the same function as it did separately, and one of ordinary skill in the art would have recognized that the results of the combination were predictable.

LeStrange et al. fails to disclose wherein calculated statistics for a configuration include individual game hold percentage and machine hold percentage. Rowe et al. discloses wherein calculated statistics for a configuration include individual game hold percentage and machine hold percentage (paragraphs [0106]-[0111]). It would have been obvious to one of ordinary skill in the art to modify the invention of LeStrange et al. such that calculated statistics for a configuration include individual game hold percentage and machine hold percentage, as disclosed by Rowe et al., since the claimed invention is merely a combination of old elements, and in the combination each element merely would have performed the same function as it did separately, and one

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of ordinary skill in the art would have recognized that the results of the combination were predictable.

As per **Claim 2**, LeStrange et al. further discloses wherein the first meter information is coin-in for the first unique configuration (column 5, line 65, through column 6, line 20; column 6, lines 36-43; column 7, lines 28-60; column 11, line 59, through column 12, line 40; according to p. 10, lines 26-28, of applicants' specification, the coin-in meter measures the total coins wagered in a configuration; this corresponds to the "game play meter" of the reference).

As per **Claim 3**, LeStrange et al. further discloses wherein the receiver is structured to also collect coin-out information for the first unique configuration (Figure 1; column 4, line 56, through column 5, line 45; column 5, line 65, through column 6, line 20; column 6, lines 36-43; column 7, lines 28-60; column 11, line 59, through column 12, line 40; according to p. 10, lines 26-32, of applicants' specification, a total coin-out meter measures the total coins paid as a result of a winning outcome generated by a configuration; this corresponds to the "game out meter" of the reference).

As per **Claim 4**, LeStrange et al. further discloses wherein the coin-out information does not include system bonus payments (column 5, line 65, through column 6, line 20; column 6, lines 36-43; column 7, lines 28-60; according to p. 10, lines 26-32, of applicants' specification, a total coin-out meter measures the total coins paid



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as a result of a winning outcome generated by a configuration and does not include system bonus payments; therefore, system bonus payments are not coins paid as a result of a winning outcome generated by a configuration; total coin-out meter corresponds to the “game out meter” of the reference, which the reference only describes as being incremented as a result of a win on a machine; therefore, the “game out meter” of the reference would not measure system bonus payments).

As per **Claim 6**, LeStrange et al. further discloses wherein the first meter information and second meter information are subsets of all meters stored in the single game unit (column 5, line 65, through column 6, line 20; column 6, lines 36-43; column 7, lines 28-60; column 11, line 59, through column 12, line 40).

As per **Claim 7**, LeStrange et al. further discloses wherein the first meter information is only collected if the first meter information is non-zero information (column 4, lines 18-34; column 5, line 65, through column 6, line 20; column 6, lines 36-43; column 7, lines 28-60; column 11, line 59, through column 12, line 40; game meter information is only transferred to host computer if the game is played and then the player switches to another game; therefore, if a game has not been played, its zero meter values will not be transferred to and collected by the host computer).

As per **Claim 9**, LeStrange et al. further discloses wherein the first meter information is collected at the end of a gaming session of the first unique configuration

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(column 5, line 65, through column 6, line 20; column 6, lines 36-43; column 7, lines 28-60; column 11, line 59, through column 12, line 40).

As per **Claim 11**, LeStrange et al. and Howington fail to disclose wherein the calculator is further structured to generate additional information from other information. Rowe et al. further discloses wherein the calculator is further structured to generate additional information from other information (paragraph [0014]; paragraphs [0106]-[0111]; in light of applicants' specification, additional information is interpreted here to include theoretical hold percentage and other information is interpreted to include player inputs). It would have been obvious to one of ordinary skill in the art at the time of applicants' invention to modify the invention of LeStrange et al. as modified in the rejection for claim 1 such that the calculator is further structured to generate additional information from other information, as disclosed by Rowe et al. Motivation is provided by Rowe et al. in that calculating theoretical hold percentage can be used to target particular players for casino rewards (paragraph [0014]; paragraphs [0106]-[0111]).

As per **Claim 12**, LeStrange et al. further discloses wherein the calculator is structured to generate a hold percentage for the first unique configuration during a certain time period (Figure 1; column 3, lines 7-19; column 3, lines 39-56; column 4, line 56, through column 5, line 45; column 5, line 65, through column 6, line 20; column 6, lines 36-43; column 7, lines 28-60; column 9, lines 48-67; column 11, line 59, through column 12, line 40).

As per **Claim 14**, LeStrange et al. fails to disclose a reporter structured to gather and present portions of the collected information. Howington discloses a reporter structured to gather and present portions of the collected information (Figure 5; Figure 6; Figure 7; Figure 8; Figure 9; Figure 10; paragraph [0040]). It would have been obvious to one of ordinary skill in the art at the time of applicants' invention to modify the invention of LeStrange et al. such that it includes a reporter structured to gather and present portions of the collected information, as disclosed by Howington. Motivation is provided by Howington in that casinos track gaming machine performance for regulatory and revenue-generating reasons (paragraph [0003]; paragraph [0006]).

As per **Claim 15**, LeStrange et al. fails to disclose a reporter structured to gather and present portions of the collected information and the additional information. Howington discloses a reporter structured to gather and present portions of the collected information and the additional information (Figure 5; Figure 6; Figure 7; Figure 8; Figure 9; Figure 10; paragraph [0040]; in light of applicants' specification, "additional information" is being interpreted to include actual win percentage, which is simply another way of expressing actual hold percentage). It would have been obvious to one of ordinary skill in the art at the time of applicants' invention to modify the invention of LeStrange et al. as modified in the rejection for claim 11 such that it includes a reporter structured to gather and present portions of the collected information and the additional information, as disclosed by Howington. Motivation is provided by Howington in that

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casinos track gaming machine performance for regulatory and revenue-generating reasons (paragraph [0003]; paragraph [0006]).

As per **Claim 16**, LeStrange et al. discloses:

- a method of accounting for networked gaming devices (Figure 1; column 3, lines 7-19; column 4, line 56, through column 5, line 45; column 11, line 59, through column 12, line 40; claims 1 and 14-16);

- accepting values from more than one unique configuration from a single game unit (Figure 1; column 4, line 56, through column 5, line 45; column 11, line 59, through column 12, line 40; a single game machine may be capable of playing multiple different games; different games represent different machine configurations; meter information for different games is recorded separately);

- wherein a unique configuration includes a unique game (column 11, line 59, through column 12, line 40; a single game machine may be capable of playing multiple different games; different games represent different machine configurations);

- storing the accepted values (column 4, line 56, through column 5, line 45);

- generating calculated values from the accepted values for all unique configurations in the single game unit (column 4, line 56, through column 5, line 45; column 11, line 59, through column 12, line 40);

- wherein calculated statistics for a configuration include slot handle (column 4, line 56, through column 5, line 5; column 6, lines 36-43).

LeStrange et al. fails to disclose wherein a unique configuration includes a unique game denomination. Howington discloses wherein a unique configuration includes a unique game denomination (paragraph [0004]; paragraphs [0029]-[0030]; paragraph [0036]; claim 16; combining the configuration-defining attributes of game and game denomination into a single invention makes the configuration a combination). It would have been obvious to one of ordinary skill in the art at the time of applicants' invention to modify the invention of LeStrange et al. such that a unique configuration includes a unique game denomination, as disclosed by Howington. Motivation is provided by Howington in that tracking denomination of a machine allows other tracked parameters to be compared on the basis of the denomination of machines (paragraph [0036]).

LeStrange et al. fails to disclose accepting queries to the accepted values. Howington discloses accepting queries to the accepted values (Figures 4-6; paragraph [0015]; paragraphs [0029]-[0037]). It would have been obvious to one of ordinary skill in the art at the time of applicants' invention to modify the invention of LeStrange et al. such that it accepts queries to the accepted values, as disclosed by Howington. Motivation is provided by Howington in that accepting queries to stored values helps casino management to track performance of particular gaming machines (paragraph [0034]; paragraph [0037]).

LeStrange et al. fails to disclose reporting the calculated values. Howington further discloses reporting the calculated values (Figures 4-6; paragraph [0015]; paragraphs [0029]-[0037]). It would have been obvious to one of ordinary skill in the art

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at the time of applicants' invention to modify the invention of LeStrange et al. as modified above in this rejection such that it reports the calculated values, as disclosed by Howington. Motivation is provided by Howington in that reporting the subset of stored values helps casino management to track performance of particular gaming machines (paragraph [0034]; paragraph [0037]).

LeStrange et al. fails to disclose wherein calculated statistics for a configuration include actual game hold percentage. Howington further discloses wherein calculated statistics for a configuration include actual game hold percentage (Figure 4; paragraph [0029]). It would have been obvious to one of ordinary skill in the art to modify the invention of LeStrange et al. such that calculated statistics for a configuration include actual game hold percentage, as disclosed by Howington, since the claimed invention is merely a combination of old elements, and in the combination each element merely would have performed the same function as it did separately, and one of ordinary skill in the art would have recognized that the results of the combination were predictable.

LeStrange et al. fails to disclose wherein calculated statistics for a configuration include slot win. Freels et al. discloses wherein calculated statistics for a configuration include slot win (column 4, line 62, through column 5, line 40; claims 6-7). It would have been obvious to one of ordinary skill in the art to modify the invention of LeStrange et al. such that calculated statistics for a configuration include slot win, as disclosed by Freels et al., since the claimed invention is merely a combination of old elements, and in the combination each element merely would have performed the same function as it did

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separately, and one of ordinary skill in the art would have recognized that the results of the combination were predictable.

LeStrange et al. fails to disclose wherein calculated statistics for a configuration include individual game hold percentage and machine hold percentage. Rowe et al. discloses wherein calculated statistics for a configuration include individual game hold percentage and machine hold percentage (paragraphs [0106]-[0111]). It would have been obvious to one of ordinary skill in the art to modify the invention of LeStrange et al. such that calculated statistics for a configuration include individual game hold percentage and machine hold percentage, as disclosed by Rowe et al., since the claimed invention is merely a combination of old elements, and in the combination each element merely would have performed the same function as it did separately, and one of ordinary skill in the art would have recognized that the results of the combination were predictable.

As per **Claim 18**, LeStrange et al. and Howington fail to disclose wherein reporting comprises printing. However, that element/limitation was well-known to one of ordinary skill in the art at the time of applicants' invention. It would have been obvious to one of ordinary skill in the art at the time of applicants' invention to modify the invention of LeStrange et al. as modified in the rejection for claim 16 such that reporting comprises printing, as was well-known to one of ordinary skill in the art at the time of applicants' invention. Motivation is provided in that it was well-known to one of ordinary

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skill in the art at the time of applicants' invention that paper is a convenient medium for reporting information.

As per **Claim 19**, LeStrange et al. further discloses wherein each unique configuration has a unique identifier (column 11, line 59, through column 12, line 40).

As per **Claim 20**, LeStrange et al. fails to disclose wherein the single game unit has an identifier unique from any other game unit in the network of gaming devices. Howington discloses wherein the single game unit has an identifier unique from any other game unit in the network of gaming devices (Figures 4-6; paragraphs [0029]-[0037]). It would have been obvious to one of ordinary skill in the art at the time of applicants' invention to modify the invention of LeStrange et al. as modified in the rejection for claim 19 such that the single game unit has an identifier unique from any other game unit in the network of gaming devices, as disclosed by Howington. Motivation is provided by Howington in that a machine identifier is used to differentiate the various gaming machines in the network for helping casino management to track performance of particular gaming machines (Figures 4-6; paragraphs [0029]-[0037]).

As per **Claim 21**, LeStrange et al. further discloses wherein accepting values comprises accepting meter values (Figure 1; column 4, line 56, through column 7, line 25; column 11, line 59, through column 12, line 40).



As per **Claim 22**, LeStrange et al. further discloses wherein accepting meter values comprises accepting meter values only if they are non-zero values (column 4, lines 18-34; column 5, line 65, through column 6, line 20; column 6, lines 36-43; column 7, lines 28-60; column 11, line 59, through column 12, line 40; game meter information is only transferred to host computer if the game is played and then the player switches to another game; therefore, if a game has not been played, its zero meter values will not be transferred to and collected by the host computer).

As per **Claim 23**, LeStrange et al. further discloses wherein accepting meter values comprises accepting fewer than all of the available meter values in the single game unit (column 5, line 65, through column 6, line 20; column 6, lines 36-43; column 7, lines 28-60; column 11, line 59, through column 12, line 40).

As per **Claim 24**, LeStrange et al. further discloses wherein accepting meter values comprises accepting meter values after an event (column 5, line 65, through column 6, line 20; column 6, lines 36-43; column 7, lines 28-60; column 11, line 59, through column 12, line 40).

As per **Claim 25**, LeStrange et al. further discloses wherein the event is the end of a session of the configuration (column 5, line 65, through column 6, line 20; column 6, lines 36-43; column 7, lines 28-60; column 11, line 59, through column 12, line 40).

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8. Claims 5, 8, 26-27, and 29 are rejected under 35 U.S.C. 103(a) as being unpatentable over LeStrange et al. in view of Howington in further view of Freels et al. in further view of Rowe et al. in further view of Britt et al., U.S. Patent Application Publication No. US 2003/0069071 A1.

As per **Claim 5**, LeStrange et al. further discloses wherein the coin-out information includes monetary value paid directly by the single game unit (column 5, line 65, through column 6, line 20; column 6, lines 36-43; column 7, lines 28-60). LeStrange et al. further discloses wherein the coin-out information includes monetary value generated by the single game unit for the first unique configuration (column 5, line 65, through column 6, line 20; column 6, lines 36-43; column 7, lines 28-60; column 11, line 59, through column 12, line 40; according to p. 10, lines 26-32, of applicants' specification, a total coin-out meter measures the total coins paid as a result of a winning outcome generated by a configuration; this corresponds to the "game out meter" of the reference). LeStrange et al. and Howington fail to disclose monetary value being paid in the form of a hand pay. Britt et al. discloses monetary value being paid in the form of a hand pay (paragraph [0925]; paragraph [0935]; paragraph [0944]). It would have been obvious to one of ordinary skill in the art at the time of applicants' invention to modify the invention of LeStrange et al. as modified in the rejection for claim 3 such that monetary value is paid in the form of a hand pay, as disclosed by Britt et al. Motivation is provided in that it was well-known to one of ordinary skill in the art at the time of applicants' invention that hand pays are a common method for casinos to pay

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out winnings to customers; therefore, it would make sense to take hand pays into consideration in a gaming accounting system.

As per **Claim 8**, LeStrange et al. and Howington fail to disclose wherein the first meter information is collected at a regular interval. Britt et al. discloses wherein the first meter information is collected at a regular interval (Figure 1; paragraphs [0087]-[0089]; paragraphs [0926]-[0929]; paragraphs [1004]-[1019]). It would have been obvious to one of ordinary skill in the art at the time of applicants' invention to modify the invention of LeStrange et al. as modified in the rejection for claim 1 such that the first meter information is collected at a regular interval, as disclosed by Britt et al. Motivation is provided by Britt et al. in that collecting the information at regular intervals keeps the central monitoring system updated (Figure 1; paragraphs [0087]-[0089]; paragraphs [0926]-[0929]; paragraphs [1004]-[1019]).

As per **Claim 26**, LeStrange et al. and Howington fail to disclose wherein accepting values comprises accepting values at established time intervals. Britt et al. discloses wherein accepting values comprises accepting values at established time intervals (Figure 1; paragraphs [0087]-[0089]; paragraphs [0926]-[0929]; paragraphs [1004]-[1019]). It would have been obvious to one of ordinary skill in the art at the time of applicants' invention to modify the invention of LeStrange et al. as modified in the rejection for claim 16 such that accepting values comprises accepting values at established time intervals, as disclosed by Britt et al. Motivation is provided by Britt et

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al. in that collecting the information at regular intervals keeps the central monitoring system updated (Figure 1; paragraphs [0087]-[0089]; paragraphs [0926]-[0929]; paragraphs [1004]-[1019]).

As per **Claim 27**, LeStrange et al. and Howington fail to disclose wherein an established time interval is once per day. Britt et al. discloses wherein an established time interval is once per day (Figure 1; paragraphs [0087]-[0089]; paragraphs [0926]-[0929]; paragraphs [1004]-[1019]). It would have been obvious to one of ordinary skill in the art at the time of applicants' invention to modify the invention of LeStrange et al. as modified in the rejection for claim 26 such that an established time interval is once per day, as disclosed by Britt et al. Motivation is provided in that it was well-known to one of ordinary skill in the art at the time of applicants' invention that a day is a common time interval to choose for breaking up data over time periods.

As per **Claim 29**, LeStrange et al. discloses:

- an accounting system (column 3, lines 7-19);
- a receiver for collecting first meter information from a first unique configuration in a single game unit, and for collecting second meter information from a second unique configuration in the single game unit (Figure 1; column 4, line 56, through column 5, line 45; column 11, line 59, through column 12, line 40; receiver is central or host computer system 20; a single game machine may be capable of playing multiple different games;

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different games represent different machine configurations; meter information for different games is recorded separately);

- wherein a unique configuration includes a unique game (column 11, line 59, through column 12, line 40; a single game machine may be capable of playing multiple different games; different games represent different machine configurations);

- a database for storing the collected information (column 4, line 56, through column 5, line 45);

- wherein the first meter information is collected at the end of a gaming session of the first unique configuration (column 5, line 65, through column 6, line 20; column 6, lines 36-43; column 7, lines 28-60; column 11, line 59, through column 12, line 40);

- a calculator structured to generate statistical information from the collected information for the unique configurations in the single game unit, including on a per-configuration basis (column 4, line 56, through column 5, line 45; column 11, line 59, through column 12, line 40);

- wherein calculated statistics for a configuration include slot handle (column 4, line 56, through column 5, line 5; column 6, lines 36-43).

LeStrange et al. fails to disclose wherein a unique configuration includes a unique denomination. Howington discloses wherein a unique configuration includes a unique denomination (paragraph [0004]; paragraphs [0029]-[0030]; paragraph [0036]; claim 16; combining the configuration-defining attributes of game and denomination into a single invention makes the configuration a combination). It would have been obvious

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to one of ordinary skill in the art at the time of applicants' invention to modify the invention of LeStrange et al. such that a unique configuration includes a unique denomination, as disclosed by Howington. Motivation is provided by Howington in that tracking denomination of a machine allows other tracked parameters to be compared on the basis of the denomination of machines (paragraph [0036]).

LeStrange et al. fails to disclose wherein calculated statistics for a configuration include actual game hold percentage. Howington further discloses wherein calculated statistics for a configuration include actual game hold percentage (Figure 4; paragraph [0029]). It would have been obvious to one of ordinary skill in the art to modify the invention of LeStrange et al. such that calculated statistics for a configuration include actual game hold percentage, as disclosed by Howington, since the claimed invention is merely a combination of old elements, and in the combination each element merely would have performed the same function as it did separately, and one of ordinary skill in the art would have recognized that the results of the combination were predictable.

LeStrange et al. fails to disclose wherein calculated statistics for a configuration include slot win. Freels et al. discloses wherein calculated statistics for a configuration include slot win (column 4, line 62, through column 5, line 40; claims 6-7). It would have been obvious to one of ordinary skill in the art to modify the invention of LeStrange et al. such that calculated statistics for a configuration include slot win, as disclosed by Freels et al., since the claimed invention is merely a combination of old elements, and in the combination each element merely would have performed the same function as it did

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separately, and one of ordinary skill in the art would have recognized that the results of the combination were predictable.

LeStrange et al. fails to disclose wherein calculated statistics for a configuration include individual game hold percentage and machine hold percentage. Rowe et al. discloses wherein calculated statistics for a configuration include individual game hold percentage and machine hold percentage (paragraphs [0106]-[0111]). It would have been obvious to one of ordinary skill in the art to modify the invention of LeStrange et al. such that calculated statistics for a configuration include individual game hold percentage and machine hold percentage, as disclosed by Rowe et al., since the claimed invention is merely a combination of old elements, and in the combination each element merely would have performed the same function as it did separately, and one of ordinary skill in the art would have recognized that the results of the combination were predictable.

LeStrange et al. and Howington fail to disclose wherein the first meter information is collected at established intervals. Britt et al. discloses wherein the first meter information is collected at established intervals (Figure 1; paragraphs [0087]-[0089]; paragraphs [0926]-[0929]; paragraphs [1004]-[1019]). It would have been obvious to one of ordinary skill in the art at the time of applicants' invention to modify the invention of LeStrange et al. as modified above in this rejection such that the first meter information is collected at established intervals, as disclosed by Britt et al. Motivation is provided by Britt et al. in that collecting the information at regular intervals keeps the

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central monitoring system updated (Figure 1; paragraphs [0087]-[0089]; paragraphs [0926]-[0929]; paragraphs [1004]-[1019]).

### ***Conclusion***

9. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

10. **Examiner's Note:** Examiner has cited particular portions of the references as applied to the claims above for the convenience of the applicant. Although the specified citations are representative of the teachings in the art and are applied to the specific limitations within the individual claim, other passages and figures may apply as well. It is respectfully requested that the applicant, in preparing the responses, fully consider the references in entirety as potentially teaching all or part of the claimed invention, as



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well as the context of the passage as taught by the prior art or disclosed by the examiner.

11. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Nathan Erb whose telephone number is (571) 272-7606. The examiner can normally be reached on Mondays through Fridays, 8:30 AM to 5 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John Hayes can be reached on (571) 272-6708. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

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